

Pages 1 through 4 redacted for the following reasons:  
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Sch3(3)

**Current SW Licences – Lakeland Area (see map for included area)**

Criteria – The catchment area for the licence to interfere is 20km<sup>2</sup> or less (+/- 5%) and the stream order is 5 or less using the Strahler Number methodology.

Water Licence	Authorisation Type	Volume authorised	Related Dam	Water Name	Accepted Catchment Area	Strahler Number	Proposed upstream declaration applies?
405419	LII	317 ML	<b>Blackburn Dam</b>	UT Ninda Creek	2.73 km <sup>2</sup>	4	Maybe – more than one user?
405420	LTW	105 ML					
408811	LTW	16 ML					
601918	LII	3300 ML	<b>Sharprock Dam</b>	UT Leichhardt Creek	6.14 km <sup>2</sup>	5	Maybe – area of impoundment crosses boundary of land
607185	LTW	300 ML					
405417	LII	46 ML	<b>Figtree Dam</b>	UT Ninda Creek	0.57 km <sup>2</sup>	3	Maybe – Watercourse above proposed dam into LII 409598 (UT Ninda Ck)
409600	LII	46 ML	<b>Carpet Snake Dam</b>	UT Ninda Creek	6.30 km <sup>2</sup>	5	Yes
19466K	LII	100 ML	<b>Town Dam</b>	UT Bullhead Creek (Perfume Gully)	12.83 km <sup>2</sup>	1	No - easement over Perfume Gully – more than one user - Dam licence holder separate to LTW holder
601726	LTW	80 ML					
58721K	LII	1415 ML	<b>Spring Creek Dam</b>	UT Ninda Creek (Spring Creek)	21.30 km <sup>2</sup>	5	Maybe – catchment area approx. 20 km <sup>2</sup> and more than one user
404272	LTW	125 ML					
607391	LTW	145 ML					
607392	LTW	470 ML					
607390	LTW	10 ML					
409598	LII	Proposed 1500 ML	<b>Dam on UT Ninda Ck</b>	UT Ninda Creek	18.60 km <sup>2</sup>	5	Maybe - D/S of Fig Tree Dam LII 405417
409599	LTW	612 ML					
33725K	LII	6075 ML	<b>Honey Dam</b>	Bullhead Creek	50.23 km <sup>2</sup>	4	No – catchment >20 km <sup>2</sup> and more than one user
100993	LTW	500 ML					
607293	LTW	1000 ML					
607294	LTW	2515 ML					
58936K	LII	Licensed 400 ML. Only contains ~30 ML	<b>Fifty Mile Dam</b>	Fifty Mile Creek	4.50 km <sup>2</sup>	2	Maybe – more than one user – two proposed dams upstream
607234	LTW	200 ML					
58954K	LII	Proposed 174 ML	<b>Dam 1 – 50 Mile Creek</b>	Fifty Mile Creek		1 or 2	Maybe – more than one user
58955K	LII	Proposed 95 ML	<b>Dam 2 – 50 Mile Creek</b>	Fifty Mile Creek		1 or 2	Maybe – more than one user
19468K	LII	90 ML	<b>Lily Creek Dam</b>	Lily Creek		3	Yes

19472K	LII	68 ML	Whaleback Dam	UT Ninda Creek		5	Yes
19464K	LII	370 ML	Homestead Dam	UT Boggy Creek		1	Yes
19467K	LII	317 ML	One Mile Dam	One Mile Creek		3	Maybe? Above Honey Dam & Ahlers?
602003	LII	0.4 ML	One Mile Ck Weir	One Mile Creek		3	Maybe - Above Honey Dam
190062	LTW	69 ML	N/A	West Normanby River		6+	N/A
607232	LTW	24 ML	N/A	UT Bullhead Creek (Perfume Gully)		2 or 3	N/A
607233	LTW	24 ML	N/A	Bullhead Creek		4	N/A
408668	LTW	40 ML	N/A	One Mile Creek		3	N/A
59960K	LTW	1280 ML	N/A	East Normanby River		6+	N/A

RTI DL RELEASE - DNR/M

**Current SW Applications - Lakeland Area (see map for included area)**

Criteria – The catchment area for the licence to interfere is 20km<sup>2</sup> or less (+/- 5%) and the stream order is 5 or less using the Strahler Number methodology.

Application Number	Authorisation Type	Volume Applied for	Related Dam	Water Name	Catchment Area		Strahler Number	Within Criteria	Comments
					NAWS	DNRM			
552031	LII	335 ML	Cooktown Road Dam 1	UT Boggy Ck	Between 3.99 km <sup>2</sup> – 4.50 km <sup>2</sup>	4.33 km <sup>2</sup>	2	Yes	
552337	LTW	250 ML							
552029	LII	655 ML	Cooktown Road Dam 2	UT Leichhardt Ck	2.16 km <sup>2</sup>	1.78 km <sup>2</sup>	3	Yes	
552028	LTW	400 ML							
546309	LII	1360 ML	Dump Gully Dam	UT Bullhead Ck	Between 4.005 km <sup>2</sup> – 4.457 km <sup>2</sup>	4.01 km <sup>2</sup>	3	Yes	
546718	LTW	460 ML							
539920	LII	5000 ML	Tableland Creek	Tableland Ck	13.35 km <sup>2</sup>	Accepted NAWS	4	Yes	NAWS has since revised dam capacity to ~3000 ML
539922	LTW	2200 ML							
539919	LTW	3000 ML	N/A	East Normanby River	N/A	N/A	?	N/A	Dam location not known
539918	LTW	3000 ML	N/A	West Normanby River	N/A	N/A	?	N/A	Dam location not known
539913	LTW	2700 ML	N/A	East Normanby River	N/A	N/A	?	N/A	Dam location not known
Not yet entered into WMS	LTW	1850 ML	N/A	Laura River	N/A	N/A	?	N/A	Dam location not known

RTI DL RELEASE - DNRM

Conditions of current SW Licences – Lakeland Area (see map for included area)

Water Licence	Authorisation Type	Volume authorised	Related Dam	Water Name	Conditions on Licence	Conditions on DP of LII
405419	LII	317 ML	Blackburn Dam	UT Ninda Creek	SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.	2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A (See attachment "Old Standard DP Conditions")
405420	LTW	105 ML			N/A	
408811	LTW	16 ML			1.01 The licensee must notify the chief executive of any new or additional works through which water under this water licence is to be taken, prior to taking the water from these new or additional works. The notification must be given in writing and if the new or additional works require development approval, this notification must include details of the relevant development permit(s). 1.10 A water year shall be from 1 July to 30 June. 1.80 Water that is taken under the authority of this water licence must only be water that is impounded under the authority of water licence 405419. 6.21 The chief executive shall accept no responsibility whatsoever for the quality of water which is taken or interfered with under the authority of this water licence.	
601918	LII	3300 ML	Sharprock Dam	UT Leichhardt Creek	3.16 If there is flow from the watercourse into the impoundment authorised under this water licence, water must be allowed to pass downstream of the impoundment at a rate equal to the rate at which water is entering the impoundment or at a rate of 2.4 megalitres per day (28 litres per second), whichever is the lesser amount.	SPEC01 Outlet works of either a through-pipe or a siphon pipe must be installed through or over the dam wall and capable of discharging not less than 2.7 Megalitres per day (31.25 litres per second). SPEC02 The outlet valve must be fitted with a geared gate valve. SPEC03 The outlet works must have a screen permanently fitted to the inlet of the pipe to prevent the entrapment and or death of instream fauna.
607185	LTW	300 ML			Standard 1.15, 1.81 & 4.39 (See attachment "Relevant Schedule A Conditions") 2.17 The taking of water under this authorisation is prohibited when the water level in Sharprock Dam is lower than 500 millimetres above the obvert (top inside) of the inlet of the outlet works.	
405417	LII	46 ML	Figtree Dam	UT Ninda Creek	SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.	2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A
409600	LII	46 ML	Carpet Snake Dam	UT Ninda Creek	3.13 When directed by the chief executive, the water licence holder must install and maintain to the satisfaction of the chief executive, approved flow measuring devices for the purpose of measuring flows entering and leaving the impoundment. 3.14 Water impounded by this water licence must not, without the written approval of that person being first obtained, cause the submergence of the property or works of any person other than the licensee. SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.	2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A
19466K	LII	100 ML	Town Dam	UT Bullhead Creek (Perfume Gully)	SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.	2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A
601726	LTW	80 ML			Standard 1.15 SPEC01 The authorisation must not be exercised when the impoundment volume of the storage authorised by Water Licence 19466K is 25 megalitres or less.	
58721K	LII	1415 ML	Spring Creek Dam	UT Ninda Creek (Spring Creek)	SPEC01 A through-pipe with a nominal diameter not less 300 millimetres must be installed through or around the wall of the dam that creates the impoundment authorised by this licence to allow water to be conveyed downstream of the dam. SPEC02 The outlet pipe required by Schedule B Condition 'SPEC01' must be fitted with a geared gate valve. SPEC03 The gate valve required by Schedule B Condition 'SPEC02' must be maintained in a properly functioning state. SPEC04 Water must be allowed to pass downstream of the dam that creates the impoundment authorised by this licence at a rate equal to the unrestricted capacity of the through-pipe required by Schedule B Condition 'SPEC01' or at the rate that water is entering the impoundment at the material time, whichever is the lesser. SPEC05	D015 The permittee must, to the satisfaction of the chief executive of the Department of Natural Resources and Water, and at the permittee's own expense, maintain the bed and banks of the watercourse adjacent to the permitted works.  D045 Prior to abandoning the works authorised by this permit, the permittee must modify or remove the works in the manner directed by the chief executive of the Department of Natural Resources and Water.

					The chief executive's representative may, at any time, lock the gate valve required by Schedule B Condition 'SPEC02' to regulate the volume of water conveyed downstream of the dam embankment that creates the impoundment authorised by this licence.											
404272	LTW	125 ML			Standard 1.15 SPEC01 Water taken under the authority of this water licence must only be water that has been impounded under the authority of Water Licence 58721K. SPEC02 Water taken under the authority of this water licence must only be water that has been released from the impoundment authorised by Water Licence 58721K. SPEC03 At all times, if there is a flow in the watercourse into the impoundment authorised by Water Licence 58721K, water must be allowed to pass downstream of the activity location (pump site) of this water licence at a rate equal or greater to the rate at which water is entering the impoundment.											
607391	LTW	145 ML			Standard 1.15											
607392	LTW	470 ML			Standard 1.15											
607390	LTW	10 ML			Standard 1.15											
409598	LII	Proposed 1500 ML	<b>Dam on UT Ninda Ck</b>	UT Ninda Creek	SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements. SPEC02 A through pipe with a nominal diameter not less than 240 mm must be installed through or around the wall of the dam that creates the impoundment authorised by this licence. SPEC03 Water must be allowed to pass downstream of this impoundment at a rate equal to the unrestricted capacity of the through pipe required by SPEC02 or at the rate that water is entering the impoundment, whichever is the lesser.	No DP.										
409599	LTW	612 ML			Standard 1.15 & 1.81											
33725K	LII	6075 ML	<b>Honey Dam</b>	Bullhead Creek	SPEC01 If there is flow from Bullhead Creek or One Mile Creek into the impoundment of Honey Dam authorised by this water licence, water must be allowed to pass downstream of the impoundment at the following rates: <table border="1"> <thead> <tr> <th>Storage height of Honey Dam impoundment in metres below full supply level:</th> <th>Minimum required (litres per second):</th> </tr> </thead> <tbody> <tr> <td>between 0.0 (full supply) and 1.0</td> <td>10</td> </tr> <tr> <td>between 1.01 and 3.0</td> <td>6.5</td> </tr> <tr> <td>between 3.01 and 5.0</td> <td>3.0</td> </tr> <tr> <td>greater than 5 metres</td> <td>2.0</td> </tr> </tbody> </table>	Storage height of Honey Dam impoundment in metres below full supply level:	Minimum required (litres per second):	between 0.0 (full supply) and 1.0	10	between 1.01 and 3.0	6.5	between 3.01 and 5.0	3.0	greater than 5 metres	2.0	2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A SPEC01 As of July 1 1994 the dam has a low hazard rating with respect to potential destruction of downstream life and property, and is therefore exempted from provisions of the Water Resources Act relating to referable dams. SPEC02 The Department reserves the right to revoke that exemption should so circumstances warrant. SPEC03 Notwithstanding the above exemption Section 5.5 of the Water Resources Act 1989 applies. SPEC04 Any alterations, repairs of maintenance to the dam is subject to the Licensing provisions of the Water Resources Act 1989. SPEC05 The work may not be abandoned or removed except under the authority of a Licence issued in accordance with the Water Resources Act 1989.  New DP required!
Storage height of Honey Dam impoundment in metres below full supply level:	Minimum required (litres per second):															
between 0.0 (full supply) and 1.0	10															
between 1.01 and 3.0	6.5															
between 3.01 and 5.0	3.0															
greater than 5 metres	2.0															
100993	LTW	500 ML			Standard 1.15											
607293	LTW	1000 ML			Standard 1.15, 1.81 & 4.39 2.17 The taking of water under this authorisation is prohibited when the water level in Honey Dam is lower than 500 millimetres above the obvert (top inside) of the inlet of the outlet works.											
607294	LTW	2515 ML			Standard 1.15, 1.81 & 4.39											
58936K	LII	Licensed 400 ML. Only contains ~30 ML	<b>Fifty Mile Dam</b>	Fifty Mile Creek	SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.	2-3.001A 2-3.002A 2-3.003A 2-3.004A SPEC01 The works authorised by this licence are subject to the provisions of the Water Resources Act 1989 relating to referable dams and the licensee shall comply with any directions of the Chief Executive issued in accordance with these provisions. SPEC02 The works authorised by this licence include a 575 metre long dam with a storage capacity of 400 ML and a maximum height of 9.5 metres. SPEC03 Upon completion of construction of the works the licence shall furnish to the Chief Executive, certification that the works have been constructed in accordance with the Department of Natural Resources, Farm Water Supplies Services' Specification Section B - Earth Dam.										
607234	LTW	200 ML			Standard 1.15, 1.81 & 4.39 SPEC01 The maximum volume of water that may be taken under this authorisation during any calendar month is 50 megalitres.											

						<p>SPEC04 The licensee shall furnish a surveillance report on the condition of the dam in accordance with Departmental guidelines at the following times:- A. at the time of each application for licence renewal, and B. at any time if alarming or unusual conditions are observed.</p>
58954K	LII	Proposed 174 ML	<b>Dam 1 – 50 Mile Creek</b>	Fifty Mile Creek	<p>SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.</p>	DP expired 31/08/2002
58955K	LII	Proposed 95 ML	<b>Dam 2 – 50 Mile Creek</b>	Fifty Mile Creek	<p>SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.</p>	DP expired 31/08/2002
19468K	LII	90 ML	<b>Lily Creek Dam</b>	Lily Creek	<p>SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.</p>	<p>2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A</p>
19472K	LII	68 ML	<b>Whaleback Dam</b>	UT Ninda Creek	<p>3.13 When directed by the chief executive, the water licence holder must install and maintain to the satisfaction of the chief executive, approved flow measuring devices for the purpose of measuring flows entering and leaving the impoundment.</p> <p>3.14 Water impounded by this water licence must not, without the written approval of that person being first obtained, cause the submergence of the property or works of any person other than the licensee.</p> <p>SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.</p>	<p>2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A</p>
19464K	LII	370 ML	<b>Homestead Dam</b>	UT Boggy Creek	<p>SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.</p>	<p>2-3.002A 2-3.003A 2-3.004A 2-3.005A 2-3.006A</p>
19467K	LII	317 ML	<b>One Mile Dam</b>	One Mile Creek	<p>SPEC01 When there is a flow in the watercourse into the storage sufficient downstream flow must be maintained to meet downstream requirements.</p>	<p>1-1.40 During the currency of the licence, the licensee must maintain to the satisfaction of the chief executive works constructed in accordance with the licence and must carry out any work or make any alteration deemed necessary by the chief executive for the protection or proper maintenance of the works.</p> <p>1-2.10 The licensee must at the licensee's cost maintain to the satisfaction of the chief executive, the bed and banks of the watercourse adjacent to the works with respect to which the licence is issued.</p> <p>1-5.10 The works with respect to which the licence is issued must not, without the written approval of that person being first obtained, cause the submergence of the property or works of any person other than the licensee.</p>
602003	LII	0.4 ML	<b>One Mile Ck Weir</b>	One Mile Creek	<p>3.16 If there is flow from the watercourse into the impoundment authorised under this water licence, water must be allowed to pass downstream of the impoundment at a rate equal to the rate at which water is entering the impoundment or at a rate equal to the unrestricted capacity of the outlet pipe, whichever is the lesser, or at a rate determined by the chief executive.</p> <p>SPEC01 A through pipe with a nominal inside diameter of not less than 75 mm must be installed through or around the wall of the dam that creates the impoundment authorised by this licence.</p>	<p>SPEC01 A through pipe must be installed through the base of the impoundment wall which is not less than 75mm inside diameter.</p>
190062	LTW	69 ML	N/A	West Normanby River	<p>Standard 1.15 SPEC01 The taking of water must not cause the premature cessation of streamflow immediately downstream of the pump site.</p> <p>SPEC02 The taking of water from a waterhole is prohibited at all times when there is no surface flow into or out of the waterhole.</p>	N/A
607232	LTW	24 ML	N/A	UT Bullhead Creek (Perfume Gully)	<p>Standard 1.15 &amp; 4.39 2.69 The daily volumetric limit that may be taken under this licence is 0.2 megalitres.</p> <p>SPEC01 The monthly volumetric limit that may be taken under this licence is 4 megalitres.</p>	N/A
607233	LTW	24 ML	N/A	Bullhead Creek	<p>Standard 1.15 &amp; 4.39 2.69 The daily volumetric limit that may be taken under this licence is 0.2 megalitres.</p>	N/A

					SPEC01 The monthly volumetric limit that may be taken under this licence is 4 megalitres.	
408668	LTW	40 ML	N/A	One Mile Creek	Standard 1.15	N/A
59960K	LTW	1280 ML	N/A	East Normanby River	Standard 1.15 SPEC01 Water may only be taken under this licence between the months of January and August inclusive SPEC02 The taking of water under this licence is prohibited whenever the pumping rate exceeds streamflow and results in the premature cessation of the flow in the watercourse.	N/A

RTI DL RELEASE - DNRM



Pages 12 through 46 redacted for the following reasons:  
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Sch3(3)

File Ref: 559916  
RIS Ref: DNRM084-0513  
5 July 2013

Ms Nikki Watson  
Team Leader  
Water Policy (North and Central Queensland)  
Department of Natural Resources and Mines  
PO Box 15216  
CITY EAST QLD 4002

Dear Ms Watson

**Preliminary Impact Assessment - Amendment to the Water Regulation 2002**

This letter responds to the enquiry first received from the Department of Natural Resources and Mines (the Department) on 17 May 2013 as to whether proposed amendments to the *Water Regulation 2002* require the preparation of a Regulatory Impact Statement (RIS). The Department also provided a summary of stakeholder consultation on 28 June 2013.

**Background**

The Preliminary Impact Assessment (PIA) and additional information provided by the Department notes that the under the existing regulatory arrangements in the Lakeland area, a water licence is required to take or interfere with water in a water channel (watercourse), lake or spring unless otherwise specified under section 20 of the *Water Act 2000*.

The Lakeland area has been predominately cleared for irrigated agriculture. The landholders in the Lakeland area have recently raised concerns that water licences impede their ability to access and productively use additional water within existing farming enterprises.

**Outline of the proposal**

Accordingly, the Department proposes to amend the *Water Regulation 2002* to declare upstream limits to selected watercourses in the Lakeland area. The declaration of upstream limits of watercourse will result in upstream of the declared point being essentially deregulated and removal of the requirement for a water licence.

Any interference or take of water upstream of the declared limits will then be considered as the take or interference of overland flow water. Taking of overland flow water is authorised under the *Water Act 2000* and no licence is required. Water downstream of a declared upstream limit will continue to be managed under the existing regulatory framework.

The Lakeland Surface Water Management Proposal paper received by the OBPR on 17 May 2013, notes that "It is uncertain whether the proposal will significantly impact the local or broader environment ... it is also expected that downstream neighbours could be negatively affected". The Consultation Summary received by the OBPR on 28 June 2013, also notes that some submissions have raised concerns regarding the potential impacts on the downstream environment and downstream water users.

However, in the revised PIA received on 20 June 2013, the Department notes that should any equitable distribution issues arise, there are mechanisms under the *Water Act 2000* to resolve those issues. Provision of departmental guidance material and community consultation will also assist in management of potential conflict between the various water users within the Lakeland area. The Department also notes that there is no documented evidence of significant impacts to the environment or ecology resulting from existing infrastructure drawing on water from the Lakeland area.

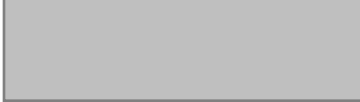
### Assessment

In accordance with the RIS Guidelines, which provide definitions and examples of what constitutes a significant impact, your proposal to amend the *Water Regulation 2002* to remove water licensing requirements and declare upstream limits in the Lakeland area, is considered not likely to attract significant adverse impacts and therefore, a RIS is not required.

Please feel free to contact Ms Ana Zolotic on (07) 3222 0556 if you require any additional information or guidance in relation to the above comments or RIS requirements in general.

Yours sincerely

49-Sch4 - Personal Information



Rod Bogaards  
Team Leader

RTI DL RELEASE - DNRIM

File Ref: 676127  
RIS Ref: DNRM308-1113

22 November 2013

Mr Peter Siemsen  
Department of Natural Resources and Mines  
Level 7, 61 Mary Street  
BRISBANE QLD 4000

Dear Mr Siemsen

### **Preliminary Impact Assessment - Amendment to Lakeland Upstream Limits**

This letter responds to the enquiry received from the Department of Natural Resources and Mines (the Department) on 12 November 2013 as to whether the above regulatory proposal requires the preparation of a Regulatory Impact Statement (RIS).

### **Background**

It is our understanding that previously under the *Water Regulation 2002*, the regulatory framework for watercourses in the "Lakeland" area of North Queensland required a water licence to take or interfere with water in a watercourse, except for stock or domestic supply.

The Department provided in May 2013 the Office of Best Practice Regulation (OBPR) a Preliminary Impact Assessment (PIA) detailing the department's proposal to amend the *Water Regulation 2002* to declare upstream limits to selected watercourses in the Lakeland area (19 in total). The declaration of upstream limits of a watercourse would result in upstream of the declared point essentially being deregulated and would remove the requirement for a water licence in those watercourses.

In response to comments raised by OBPR regarding potential impacts on downstream water users and the environment, the Department noted that there was no documented evidence of significant impacts to the environment or ecology resulting from existing infrastructure drawing on water from the Lakeland area. In addition, the Department noted that should any distribution issues arise, there were mechanisms under the *Water Act 2000* to resolve those issues.

OBPR advice provided to the Department on 5 July 2013 stated that the Department's proposal was considered not likely to attract significant adverse impacts and that a RIS would not be required.

The proposal was enacted via regulation on 27 September 2013.

### **Outline of Proposal**

Since the changes to regulation came into effect, representations from the community have been received that raised concerns regarding the upstream limits on two watercourses (One Mile Creek and Bullhead Creek) above

Honey Dam, and the impact that these may have on inflows to the dam (and associated downstream enterprises that utilise it).

Based on these concerns that these changes may have a detrimental impact on the dam and the community, the Department now proposes to remove the upstream limits on these two watercourses and return to the regulatory framework in place in the *Water Regulation 2002* before the regulatory changes made on 27 September 2013 occurred. The upstream limits on the remaining 17 watercourses in the Lakeland area will not be affected by this proposal.

### Assessment

It is our understanding that existing licences above the upstream limits have not yet been cancelled, and will come back into effect immediately following the removal of upstream limits and that the return to regulation of these water courses will re-introduce the licence application process and associated fees. The Department also considers that the proposal may limit the potential for further development (including developments currently being considered), and may reduce the likelihood of competition.

The OBPR notes that the proposal restores regulation, previously identified by the Department to have the potential to impede development, competition, and the most productive use of the area. However we acknowledge the concerns of the Department that the recent changes to regulation are likely to result in impacts downstream that were not anticipated when the regulatory change was proposed.

Taking into account the above and that the regulation has only recently taken effect, the OBPR considers that the proposal of the Department to restore the regulatory framework in place before 27 September 2013 should not require the completion of a RIS.

Please feel free to contact Sean Mackay, Senior Analyst on (07) 3222 0549 if you require any additional information or guidance in relation to the above comments or the RIS requirements in general.

Yours sincerely

49-Sch4 - Personal Information

Gregory Bounds  
Director

Pages 51 through 99 redacted for the following reasons:  
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Sch3(3)



Queensland  
Government

Department of  
Natural Resources and Mines

Ref Marco Hatt (file ref: 548229)  
CTS 14068/13

**19 JUN 2013**

Dr John Fallon  
Level 27  
145 Ann Street  
BRISBANE QLD 4000

Dear Mr Fallon,

Thank you for your letter dated 21 May 2013 concerning the Preliminary Impact Assessment (PIA) – Amendment to the *Water Regulation 2002*. An updated version of the PIA is attached for your consideration.

The effect of the proposed amendments to the Water Regulation will be to remove restrictions on the way in which farmers in the Lakeland area operate their on farm water storages.

The Department has consulted widely with local landholders on this proposal and there is widespread support for the proposed regulation changes. Your early endorsement of the proposed regulatory amendment being excluded from having to prepare a full Regulatory Impact Statement would be greatly appreciated.

Should you have any further enquiries, please contact Mrs Nikki Watson, Team Leader Water Planning North and Central of the department on telephone 3225 1586.

Yours sincerely

49-Sch4  
Personal

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Lyall Hinrichsen

**Executive Director, Water Policy**

Att: extracts from *Water Act 2000* and *Water Regulation 2002*.

Pages 101 through 208 redacted for the following reasons:  
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Sch3(3)